

## REMARKS

Claims 1-20 were presented for examination. The Office Action mailed July 29, 2009 rejects claims 1-20. Applicants herein amend claims 1 and 16. Claims 1-20 remain pending in the application.

### **Rejection of Claims 16-20 under 35 U.S.C. §101**

Claims 16 - 20 were rejected under 35 U.S.C. 101 because they purportedly continue to recite nonstatutory subject matter. The Applicants now submit independent Claim 16 as reciting a “non-transitory” computer usable medium. The Applicants thus respectfully request that this rejection be withdrawn.

### **Rejection of Claims 1- 7, 9, 11 - 20, 26 and 27 under 35 U.S.C. §103(a)**

The Office Action rejected claims 1-7, 9, 11-20, 26 and 27 under 35 U.S.C. §103(a) as being unpatentable over US Patent Publication No. 2003/0172113 A1 to Cameron et al. (hereinafter “Cameron”) in view of US Patent Publication No. 2004/0230598 to Robertson et al. (hereinafter “Robertson”) and US Patent No. 7,092,977 to Leung et al. (hereinafter “Leung”). Applicants respectfully traverse this rejection because the cited references, whether taken alone or in combination, do not teach or suggest every claimed element and limitation of Applicants’ invention.

Applicants’ invention, as now set forth in representative claim 1, recites “calculating, for a plurality of times and a plurality of clients, a document score for each document in a plurality of documents in the server database, each document score designating an importance of a respective one of the documents to a respective one of the clients at one of the times, each document score indicative of whether the document should be synchronized between the respective client and the server database; initiating a synchronization task at one of the clients, the synchronization task specifying a threshold value that indicates the document score value for a document to be synchronized, and identifying the server and the server database for

synchronization; and transmitting one of the documents in the server database to the client based on a comparison of the threshold value and the respective document score for a latest time.”

Thus, the Applicants have clarified what is meant by the claimed document score. In accordance with the Applicants’ claimed invention, each document score is indicative of whether the respective document should be synchronized between the respective client and server database. Then, as part of the claimed synchronization method, a client specifies a threshold value as part of the initiation of a synchronization task. The threshold value is specifically claimed as a value that indicates the document score value for a document to be synchronized. The server compares the threshold value to the score it has calculated for a document. The server then transmits a document back to the client based on a comparison of the threshold value and the score.

As stated in the Office Action, “Cameron and Robertson do not explicitly teach the threshold value. But The Office Action says, in “Response to Arguments”, “a file size indicates a “document score” that is compared with a threshold. Based on this comparison, the file (or “document”) is transferred. Examiner notes that Leung also teaches other characteristics (e.g. data characteristics 132) of a file that must be met in order for a file to be stored)”.

The Applicants disagree that the file size of Leung (or the data characteristics 132) satisfies the document score limitation of the Applicants’ claims. Applicants specifically claim “a document score for each document in a plurality of documents in the server database, each document score designating an importance of a respective one of the documents to a respective one of the clients at one of the times, each document score indicative of whether the document should be synchronized between the respective client and the server database”. Applicants do not see how a file size of a document can meet this limitation. The file size and data characteristics of the file of Leung have nothing to do with any client, or any synchronization therewith. Thus, the Applicants respectfully submit that Cameron, Roberson and Leung, fail to teach or suggest the Applicants’ claimed invention including “calculating, for a plurality of times and a plurality of clients, a document score for each document in a plurality of documents in the server database, each document score designating an importance of a respective one of the documents to a respective one of the clients at one of the times, each document score indicative of whether the document should be synchronized between the respective client and the server

database; initiating a synchronization task at one of the clients, the synchronization task specifying a threshold value that indicates the document score value for a document to be synchronized, and identifying the server and the server database for synchronization; and transmitting one of the documents in the server database to the client based on a comparison of the threshold value and the respective document score for a latest time.”

For the reasons above, Applicants submit that Cameron, Robertson and Leung, either alone or in combination, do not teach or suggest every element and limitation of independent claim 1 as now set forth. Thus Applicants respectfully request that the rejection of claim 1 be withdrawn. Independent claim 16 recites language similar to that of claim 1, and therefore is allowable for at least the reasons provided with respect to claim 1. Dependent claims 2-7, 9, 11-15, and 17-20 depend directly or indirectly from one of the patentable independent claims, and incorporate all of the limitations of the respective independent claim. Thus these dependent claims are patentably distinguishable over the cited references for at least those reasons provided in connection with the independent claims and Applicants respectfully request withdrawal of the rejection of these dependent claims.

#### **Rejection of Claims 8 and 10 under 35 U.S.C. §103(a)**

The Office Action rejects claims 8 and 10 under 35 U.S.C. §103(a) as being unpatentable over Cameron, Robertson and Leung, and further in view of US Patent Publication No. 2005/0071741 to Acharya et al. (hereinafter “Acharya”). The Office Action uses the disclosure of Acharya for the purpose of showing the additional limitations recited in these dependent claims. Regardless of whether or not Acharya shows such limitations, Applicants submit that Acharya does not teach or suggest the limitations of claim 1 described above as missing from the other cited references. Thus Applicants submit that dependent claims 8 and 10 are allowable over the cited references for at least those reasons set forth above with respect to claim 1 and Applicants respectfully request withdrawal of the rejection of these dependent claims.

#### **CONCLUSION**

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or

concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims that have not been expressed.

In view of the remarks made herein, Applicants submit that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003, or at mobile number (617) 901-6786.

Respectfully submitted,

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